

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAYDEANE FRANCIS ELL,

Petitioner,

v.

JASON BENNETT,

Respondent.

Case No. C24-1393-TSZ-MLP

REPORT AND RECOMMENDATION

On September 3, 2024, Petitioner Jaydeane Francis Ell submitted to the Court for consideration a proposed petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 and an application to proceed with this federal action *in forma pauperis* (“IFP”). (Dkt. ## 1, 1-1.) On September 12, 2024, this Court ordered Petitioner to either show cause why his IFP application should not be denied or pay the \$5.00 filing fee by October 15, 2024. (Dkt. # 4.) The Court explained that Petitioner’s IFP application contained conflicting information but appeared to show that Petitioner had funds sufficient to pay the \$5.00 filing fee. (*Id.*)

On September 25, 2024, Petitioner filed a document titled “Supplemental Authority” and a motion to appoint counsel. (Dkt. ## 5-6.) Neither document shed any light on Petitioner’s IFP application. To date, Petitioner has submitted no other response to the Court’s Order. (*See* dkt.)

1 Based on the available information, it appears Petitioner has funds sufficient to pay the  
2 filing fee. Accordingly, the Court recommends Petitioner's IFP application (dkt. # 1) be  
3 DENIED and Petitioner be directed to submit the \$5.00 filing fee within 30 days of the date this  
4 Report and Recommendation is adopted. If no filing fee is paid within thirty days of the Court's  
5 Order, the Clerk of Court should close the file. A proposed order accompanies this Report and  
6 Recommendation.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
8 served upon all parties to this suit not later than **fourteen (14) days** from the date on which this  
9 Report and Recommendation is signed. Failure to file objections within the specified time may  
10 affect your right to appeal. Objections should be noted for consideration on the District Judge's  
11 motions calendar **fourteen (14) days** from the date they are filed. Responses to objections may  
12 be filed by **the day before the noting date**. If no timely objections are filed, the matter will be  
13 ready for consideration by the District Judge on **November 8, 2024**.

14 The Clerk is directed to send copies of this Report and Recommendation to Petitioner and  
15 to the Honorable Thomas S. Zilly.

16 Dated this 18th day of October, 2024.

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18 MICHELLE L. PETERSON  
19 United States Magistrate Judge  
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